



**KITSAP COUNTY CODE TITLE 17 REGARDING ALLOWED USES BY ZONE IN KITSAP COUNTY.
DRAFT FOOTNOTE RELOCATION GUIDE**

Chapter 17.410.050 ‘Allowed Uses – Footnotes’.

LEGEND

<i>RR</i>	Abbreviated zoning designations
<i>100</i>	Existing Allowed Use Number
Red Text	Indicates where existing footnote or special provision will be relocated
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FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) <small>(in all tables unless noted otherwise)</small>	Applied to ZONE(s)	Applies to USE in ZONE
1	Where applicable subject to Section 17.410.060, Provisions applying to special uses. See Chapter 17.410.060 ‘Provisions applying to special uses’ below to review where applicable provisions were moved.	100 Accessory dwelling unit. 102 Accessory living quarters. 104, 200, 300, 400, 500, 600 Accessory use or structure. 126 Guest house. 127 High-risk secured facility. 128 Home business. 202 Adult Entertainment 262 Kennel or pet day cares. 542 Storage, vehicles and equipment. 552 Wrecking yard. Junk yard.		130 Hotel/motel. (only applied to 17.410.042 table) <i>RR, RP, RW, FRL, MRO, UR, GB, UL, UCR, UM, UH</i>
2	Minimum setbacks shall be twenty feet from any abutting right of way or property line; provided, however, advertising for sale of products shall be limited to two on-premises signs each not exceeding six square feet. Remove footnote, no longer applicable. Temporary farm stands (Removed in 2016 by Agriculture Code)			
3	When located within urban growth areas (except UR), duplexes shall require five thousand square feet of minimum lot area. Duplexes located in the UR zone or outside of urban growth areas shall require double the minimum lot area required for the zone. Remove footnote. The Department reviews building permits against minimum density.			116 Dwelling, duplex. <i>RR, RP, RW, FRL, UR, UL, KVL, KVR, MVL, MVR</i>
4	No greater than two acres for the purpose of construction and maintenance of a timber management road system, provided the total parcel is at least twenty acres. Moved to 17.415.--- Aggregate extractions sites.			602 Aggregate extractions sites <i>FRL</i>
5	Provided public facilities do not inhibit forest practices. Moved to 17.415. --- Public facilities and electric power and natural gas utility facilities, and substations.			410 Public facilities. <i>FRL</i>

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6	<p>Where permitted, automobile service stations shall comply with the following provisions:</p> <p>a. Sale of merchandise shall be conducted within a building, except for items used for the maintenance and servicing of automotive vehicles;</p> <p>b. No automotive repairs other than incidental minor repairs or battery or tire changing shall be allowed;</p> <p>c. The station shall not directly abut a residential zone; and</p> <p>d. All lighting shall be of such illumination, direction, and color as not to create a nuisance on adjoining property or a traffic hazard.</p> <p>Moved to 17.415.--- Fuel or charging station, with convenience store and 17.415.--- Fuel or charging station, without convenience store.</p>	214 Automobile service station.		
7	Reserved.			
8	<p>A veterinary clinic, animal hospital or wildlife shelter shall not be located within fifty feet of a lot line in the rural protection (RP) or rural residential (RR) zones except within the boundary of a town master plan approved pursuant to Section 17.360C.030. In addition, the applicant may be required to provide additional measures to prevent or mitigate offensive noise, odor, light and other impacts.</p> <p>Moved to 17.415.--- Veterinary clinics/animal hospitals/wildlife shelter.</p>			298 Veterinary clinics/animal hospitals/wildlife shelters. RR, RP, RW
9	<p>Veterinary clinics and animal hospitals are allowed, provided a major part of the site fronts on a street and the director finds that the proposed use will not interfere with reasonable use of residences by reason of too close proximity to such residential uses, or by reason of a proposed exterior too different from other structures and character of the neighborhood. All activities shall be conducted inside an enclosed building.</p> <p>Moved to 17.415.--- Veterinary clinics/animal hospitals/wildlife shelter.</p>			298 Veterinary clinics/animal hospitals/wildlife shelters. UH
10	<p>A cemetery, crematorium, mausoleum, or columbarium shall have its principal access on a county roadway with ingress and egress so designed as to minimize traffic congestion, and shall provide required off-street parking spaces. No mortuary or crematorium in conjunction with a cemetery is permitted within two hundred feet of a lot in a residential zone.</p> <p>Moved to 17.415.--- Cemeteries and 17.415.--- Funeral homes.</p>	508 Cemeteries, mortuaries, and crematoriums		

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11	<p>A circus, carnival, animal display, or amusement ride may be allowed through a Type I administrative review in all industrial zones and any commercial zones, except neighborhood commercial (NC), Keyport village commercial (KVC), or Manchester village commercial (MVC) for a term not to exceed ninety days, with a written approval of the director. The director may condition such approval as appropriate to the site. The director's decision may be appealed to the hearing examiner.</p> <p>Permissibility reflected in 17.410.044 use table TEMPORARY USES, conditions moved to 17.415.--- Carnival or circus.</p>			<p>302 Amusement center. <i>C, RC, LIC, UVC, IND, KVC, MVC, RHTC, SVC</i></p> <p>304 Carnival or circus. <i>C, RC, LIC, UVC, IND, KVC, MVC, RHTC, SVC</i></p>
12	<p>All buildings and activities shall be set back a minimum of fifty feet in FRL, MRO, RW, RP, RR, RCO, RI or parks zones and thirty-five feet in all other zones from a side or rear lot line. All such uses shall access directly to a county right-of-way determined to be adequate by the county engineer except when included within the boundary of a town master plan approved pursuant to Section 17.360C.030 and be able to provide access without causing traffic congestion on local residential streets. Any such use shall not be materially detrimental to any adjacent (existing or future) residential development due to excessive traffic generation, noise, light or other circumstances. The director may increase setback, buffer and landscaping standards or impose other conditions to address potential impacts.</p> <p>Moved to respective uses in 17.415.</p>	<p>306 Club, civic or social</p> <p>406 Places of worship.</p>	<i>RCO, RI</i>	<p>226 Conference center. <i>RR, RW</i></p> <p>262 kennel or pet day care. <i>RR, RP, RW</i></p> <p>284 Restaurants. <i>RR, RW</i></p> <p>286 Restaurants, high-turnover. <i>RR, RW</i></p> <p>292 Tourism facilities, including outfitter and guide facilities. <i>RR, RW</i></p> <p>298 Veterinary clinics/animal hospitals/wildlife shelters. <i>RR, RW</i></p> <p>306 Club, civic or social <i>RR, RP, MRO, UR, GB</i></p> <p>308 Golf course. <i>RR, RP</i></p> <p>392 (320) Race track, major. <i>P</i></p> <p>322 Race track, minor. <i>RW, FRL, MRO, P</i></p> <p>324 Recreational facility, private <i>RR, RP</i></p> <p>328 Recreational vehicle camping parks. <i>RR, RW</i></p> <p>406 Places of worship. <i>RR, RP</i></p> <p>512 Contractor's storage yard. <i>RR, RP</i></p> <p>514 Food production, brewery or distillery. <i>RR, RW</i></p> <p>520 Manufacturing and fabrication, light. <i>RR, RW</i></p>
13	<p>Heliports for the purpose of medical emergency facilities may be permitted in certain zones subject to a conditional use permit. All private landing strips, runways, and heliports shall be so designed and oriented that the incidences of aircraft passing directly over dwellings during their landing or taking off patterns are minimized. They shall be located so that traffic shall not constitute a nuisance to neighboring uses. The proponents shall show that adequate controls or measures will be taken to prevent offensive noise, vibrations, dust, or bright lights.</p> <p>Moved to 17.415.--- Airport and 17.415.--- Helicopter pads.</p>	<p>518 Helicopter pads</p> <p>548 Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc.</p>		

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14	In those zones that prohibit residential uses, family day-care centers are only allowed in existing residential structures. Day-care centers shall have a minimum site size of ten thousand square feet and shall provide and thereafter maintain outdoor play areas with a minimum area of seventy-five square feet per child of total capacity. A sight-obscuring fence of at least four feet in height shall be provided, separating the play area from abutting lots. Adequate off-street parking and loading space shall be provided. Moved to 17.415.--- Day-care center and 17.415. --- Day-care center, home based .	230 Day-care center. 232 Day-care center, family.		
15	Reserved.			
16	The erection, construction, alteration, or maintenance of overhead or underground utilities by a public utility, municipality, governmental agency, or other approved party shall be permitted in any zone; provided, that any permanent above-ground structures not located within a right-of-way or easement shall be subject to the review of the director. Utility transmission and distribution lines and poles may exceed the height limits otherwise provided for in this title. Water towers which exceed thirty-five feet in height, solid waste collection, transfer and/or handling sites in any zone shall be subject to a conditional use permit. These provisions do not apply to wireless communication facilities, which are specifically addressed in Chapter 17.530. Moved to 17.415. --- Public facilities and electric power and natural gas utility facilities, and substations.	410 Public facilities and electric power and natural gas utility facilities, substations, ferry terminals, and commuter park-and-ride lots		
17	Reserved.			
18	One piece of heavy equipment may be stored in any single-family zone; provided, that it is either enclosed within a permitted structure, or screened to the satisfaction of the director. Moved to 17.415.--- Accessory use or structure; 17.415.--- Storage, indoor ; and 17.415.--- Storage, outdoor.			104 (Residential) accessory use or structure. (only applied to 17.410.042 and 17.410.046 use tables) <i>RR, RP, RW, FRL, MRO, UR, GB, UL, UCR, UM, UH, KVC, KVLR, KVR, MVC, MVLR, MVR, RHTC, RHTR, RHTW, SVC, SVLR, SVR, REC, TTEC</i> 542 Storage, vehicles and equipment. <i>RR, RP, KVLR, MVLR, MVR, SVLR, SVR</i>
19	All development within the Silverdale Design District boundaries must be consistent with the Silverdale Design Standards. Remove footnote. The same standard is found in 17.420.060(A)(33)		<i>UR, UL, UH, C, RC, NC</i>	
20	Site plans for public schools shall include an area identified and set aside for the future placement of a minimum of four portable classroom units. The area set aside may not be counted towards meeting required landscaping or parking requirements. Moved to respective uses in 17.415.	408 Private or public schools		

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21	Outdoor contractors' storage yards accessory to a primary residence shall be limited to not more than ten heavy equipment vehicles or heavy construction equipment. The use shall be contained outside of required setbacks within a contained yard or storage building. The storage yard and/or building shall be screened from adjacent properties with a screening buffer a minimum of twenty-five feet in width and capable of providing functional screening of the use. Minimum lot size shall be one hundred thousand square feet. Moved to 17.415.--- Contractor's storage yard.	512 Contractor's storage yard.		
22	Stump grinding, soil-combining and composting in rural protection and rural residential zones must meet the following requirements: a. The subject property(ies) must be one hundred thousand square feet or greater in size; b. The use must take direct access from a county-maintained right-of-way; c. A fifty-foot natural vegetation buffer must be maintained around the perimeter of the property(ies) to provide adequate screening of the use from neighboring properties; d. The subject property(ies) must be adjacent to an industrial zone or a complementary public facility such as a sewage treatment plant or solid waste facility; e. The proposed use must mitigate noise, odor, dust and light impacts from the project; and f. The use must meet all other requirements of this title. Moved to 17.415.--- Top soil production, stump grinding, firewood cutting, and composting.			544 Top soil production, stump grinding RR, RP
23	Home businesses located in the forest resource lands (FRL) must be associated with timber production and/or harvest. Moved to 17.415. --- Home business.			128 Home business. FRL
24	Mobile homes are prohibited, except in approved mobile home parks. Moved to 17.415. --- Mobile home.			132 Mobile homes. UR, GB, UL, UM
25	All uses must comply with the town development objectives of Section 17.360C.020. Moved to Chapter 17.360 Port Gamble.		<i>RHTC, RHTR, RHTW</i>	

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26	Single family detached dwellings shall only be allowed when the existing parcel size as of August 31, 2016, would only allow the development of one dwelling unit. Remove footnote, no longer applicable. The department reviews building permits against minimum density.			122 Dwelling, single-family attached. Single-family dwelling. <i>KVC</i> 124 Dwelling, single-family detached. Manufactured home. Single-family dwelling. <i>UM, UH, KVC</i>
27	Subject to the temporary permit provisions of Chapter 17.105. Moved to 17.415.--- Temporary offices and model homes.	290 Temporary offices and model homes		
28	Allowed only within a commercial center limited in size and scale (e.g., an intersection or corner development). Revised footnote and applied to Urban Low Residential and Urban Cluster Residential. The Department recommendation proposes to allow small scale commercial uses in the Urban Low Residential and Urban Residential zone as a stand alone use if located at an intersection classified as an arterial to arterial or arterial to collector intersections.			246 General office and management services less than 4K sf <i>UCR</i> 252 General merchandise stores less than 4K sf <i>UCR</i> 266 Laundromats and laundry services <i>UCR</i> 284 Restaurants. <i>UCR</i>
29	Reserved.			
30	The Design Standards for the Community of Kingston set forth policies and regulations for properties within the downtown area of Kingston. All development within this area must be consistent with these standards in Chapter 17.700, Appendix C1. Remove Footnote. Same provision is found in KCC 17.420.060(A)(5).		<i>UM, C, UVC, NC,</i>	
31	Uses permitted only if consistent with an approved master plan pursuant to Chapter 17.440. Where a master plan is optional and the applicant chooses not to develop one, all uses shown as permitted require an administrative conditional use permit. Moved to Chapter 17.300 Business Center (BC)		<i>BC</i>	
32	For properties with an approved master plan, all uses requiring a conditional use permit will be considered permitted uses. Moved to Chapter 17.320 Industrial (I) zone.		<i>IND</i>	

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33	Must be located and designed to serve adjacent area. Moved to respective uses in 17.415.			212 Automobile repair and car washes <i>IND</i> 214 Automobile service station. <i>BC, BP, IND</i> 222 Brew pubs. <i>BC, BP</i> 230 Day-care center. <i>BC, BP, IND</i> 232 Day-care center, family. <i>BC, BP</i> 234 Drinking establishments. <i>BC, BP</i> 236 Engineering and construction offices <i>BP, IND</i> 238 Espresso stands <i>BC, BP, IND</i> 244 Financial, banking, mortgage and title institutions <i>BP, IND</i> 246 General office and management services less than 4K sf <i>IND</i> 252 General merchandise stores less than 4K sf <i>BC, BP, IND</i> 266 Laundromats and laundry services <i>BC</i> 284 Restaurants. <i>BC, BP, IND</i> 286 Restaurant, high-turnover. (Applied to category in 17.410.044) <i>C, RC, UVC, NC, LIC, BC, BP, IND</i>
34	Bed and breakfast houses or vacation rentals with one to four rooms require an administrative conditional use permit; bed and breakfast houses with five or more rooms require a hearing examiner conditional use permit. Bed and breakfast houses serving meals to patrons other than overnight guests require a hearing examiner conditional use permit. Remove footnote. Split into separate categorical uses with permits required reflected in the use table.			108 Bed and breakfast house. Vacation rental. <i>RR, RP, RW, UR, GB, UL, UM, UVC, NC, RCO, KVC, KVL, KVR, MVL, MVR, RHTC, RHTR, RHTW, SVC, SVL, SVR</i>
35	The use shall be accessory and shall not occupy more than twenty-five percent of the project area. Moved to 17.415.--- Automobile or recreational vehicle sales.			216 Automobile, recreational vehicle or boat sales <i>BC, IND</i>
36	Requires a conditional use permit when abutting SVR or SVLR zone. Moved to Fuel or charging stations.			214 Automobile service station. <i>SVC</i>

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37	<p>The overall project shall include a residential component. A mixed use project shall be required to meet the minimum density for the zone in which it is located.</p> <p>Remove footnote. The Department recommendation proposes to allow small scale commercial uses in the Urban Low Residential and Urban Residential zone as a stand alone use if located at an intersection classified as an arterial to arterial or arterial to collector intersections.</p>			224 Clinic, medical <i>UH</i> 230 Day-care center. <i>UM, UH</i> 232 Day-care center, family. <i>UM, UH</i> 238 Espresso stands <i>UH</i> 245 Fitness center. <i>UH</i> 246-250 General office and management services. (all sizes) <i>UH</i> 252 General merchandise stores less than 4K sf <i>UH</i> 266 Laundromats and laundry services <i>UH</i> 278 Personal services – skin care, massage, manicures, hairdresser/barber <i>UH</i> 280 Pet shop – retail and grooming <i>UH</i> 284 Restaurants. <i>UH</i> 298 Veterinary clinics/animal hospitals/wildlife shelters. <i>UH</i> 314 Movie/performance theater, outdoor. <i>UH</i> 316 Museum, galleries, aquarium, historic or cultural exhibits <i>UH</i> 540 Storage, self-service. <i>UM, UH</i>
38	Customer service oriented uses over five thousand square feet are prohibited. Reflected in the use table.			248 General office and management services - 4,000 to 9,999 s.f. <i>RHTC, RHTW</i>
39	Reserved.			
40	Self-storage facilities must be accessory to the predominant residential use of the property, sized consistently for the number of lots/units being served and may serve only the residents of the single-family plat or multifamily project. Moved to respective uses in 17.415.			540 Storage, self-service. <i>UR, GB, UL, UCR, UM, UH</i>
41	<p>Adult family homes serving one to six residents (excluding proprietors) are permitted uses. Adult family homes serving more than six applicable residents (excluding proprietors) require an administrative conditional use permit (ACUP).</p> <p>Remove footnote. State law limits adult family homes to six residents and requires that the use is permitted where residential or commercial uses are allowed.</p>			Use 106 Adult family home. <i>RR, RP, RW, UR, UL, UCR, UM, UH, C, RC, LIC, UVC, RCO, BC, BP, IND, RI, MVC, MVLR, MVR, RHTC, RHTR, RHTW, SVC, SVLR, SVR</i>
42	All business, service repair, processing, storage, or merchandise display on property abutting or across the street from a lot in any residential zone shall be conducted wholly within an enclosed building unless screened from the residential zone by a sight-obscuring fence or wall. Moved to zone chapter special provisions and 17.415. --- Lumber and bulky building material sales.		<i>BC, IND, RI</i>	268 Lumber and bulky building material sales <i>C, RC, LIC</i>

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43	<p>Where a family member is in need of special, frequent and routine care and assistance by reason of advanced age or ill health, a manufactured home or mobile home may be placed upon the same lot as a single-family dwelling for occupancy by the individual requiring or providing such special care subject to the following limitations:</p> <p>a. Not more than two individuals shall be the recipients of special care;</p> <p>b. No rent, fee, payment or charge in lieu thereof may be made for use of the single-family dwelling or manufactured/mobile home as between the recipients or providers of special care;</p> <p>c. The manufactured/mobile home must meet the setback requirements of the zone in which it is situated;</p> <p>d. A permit must be obtained from the director authorizing such special care manufactured/mobile home. Such permit shall remain in effect for one year and may, upon application, be extended for one-year periods, provided there has been compliance with the requirements of this section;</p> <p>e. The manufactured/mobile home must be removed when the need for special care ceases; and</p> <p>f. Placement of the manufactured/mobile home is subject to applicable health district standards for water service and sewage disposal.</p> <p>Split to define in 17.110.--- Special care residence. and moved regulations to 17.415. ---Special care residence. Permit required reflected in the use table under Temporary Uses.</p>			<p>124 Dwelling, single-family detached (includes manufactured homes) <i>RR, RP, RW, FRL, UR, GB, UL, UCR, UM, UH, KVC, KVLR, KVR, MVLRL, MVR, RHTR, RHTR, SVLR, SVR</i></p> <p>132 Mobile home. <i>RR, FRL, UR, GB, UL, UCR, UM, UH, UVC, KVC, KVLR, KVR</i></p>
44	<p>Certain development standards may be modified for mixed-use developments, as set forth in Section 17.420.035 and Chapter 17.430.</p> <p>Removed via 2016 Comprehensive Plan Update due to the removal of the mixed use zone.</p>			
45	Reserved.			
46	<p>Allowed only as an accessory use to a park or recreational facility greater than twenty acres in size except when included within the boundaries of a town master plan approved pursuant to Section 17.360C.030. If included within a town master plan boundary, the use shall not include more than sixty spaces per five acres. All use of recreational vehicles must be transient in nature.</p> <p>Moved to respective uses in 17.415.</p>			<p>328 Recreational vehicle camping park. <i>RR, RP, RW</i></p>

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47	<p>As a conditional use, UM and UH zones adjacent to a commercial zone may allow coordinated projects that include commercial uses within their boundaries. Such projects must meet the following conditions:</p> <p>a. The project must include a combination of UM and/or UH and commercially zoned land;</p> <p>b. The overall project must meet the density required for the net acreage of the UM or UH zoned land included in the project;</p> <p>c. All setbacks from other residentially zoned land must be the maximum required by the zones included in the project;</p> <p>d. Loading areas, dumpsters and other facilities must be located away from adjacent residential zones; and</p> <p>e. The residential and commercial components of the project must be coordinated to maximize pedestrian connectivity and access to public transit.</p> <p>Remove footnote. Commercial uses limited in scale in the use table and allowed per zone intent. Mixed use projects must comply with to Section 17.420.035 and Chapter 17.430 and captures the intent of this footnote through 17.415.--- General requirements.</p>		UM, UH	
48	<p>Within urban growth areas, all new residential subdivisions, single-family or multifamily developments are required to provide an urban level of sanitary sewer service for all proposed dwelling units unless exemptions identified in Section 17.460.020 allow for the implementation of a dry sewer.</p> <p>Moved to 17.415.--- General requirements.</p>		UL, UCR, UM, UH, C, RC, LIC, UVC, NC	
49	<p>Mixed use development is prohibited outside of urban growth areas.</p> <p>Remove footnote, no longer applicable. Mixed use development is based upon allowed uses.</p>	Mixed Use (Mixed use category and zone removed via 2016 Comprehensive Plan Update. The County allows a project to mix uses allowed in the zone.)		
50	<p>The Manchester Design Standards sets forth policies and regulations for properties within the Manchester village commercial (MVC) zone. All developments within the MVC zone must be consistent with the standards found in Chapter 17.700, Appendix C4.</p> <p>Remove footnote. Same provision is found in Kitsap County Code Section 17.420.060(A)(47).</p>		MVC	

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51	Storage of shipping containers is prohibited unless allowed as part of a land use permit and/or approval. Placement of storage containers allowed only with an approved temporary permit subject to the provisions of Section 17.105.090(I). Moved to respective uses in 17.415.	104, 200, 300, 400, 500, 600 Accessory use or structure.		
52	Aggregate production and processing only. Allowed only if directly connected to an approved surface mining permit approved by the Washington State Department of Natural Resources (DNR). Moved to respective uses in 17.415.			130 Hotel/motel. Applied to category in 17.410.042 RR, RP, RW, FRL, MRO, UR, GB, UL, UCR, UM, UH 522 Manufacturing and fabrication, medium. BC
53	Commercial or industrial uses otherwise prohibited in the zone may be allowed as a component of a home business subject to the requirements of Section 17.410.060(B). Moved to 17.415. --- Home business.	128 Home business.		
54	The gross floor area shall not exceed four thousand square feet. Moved to respective uses in 17.415.			212 Automobile repair and car washes NC 228 Custom art and craft stores. UVC, NC 230 Day-care center. UVC, NC 232 Day-care center, family. UVC, NC 236 Engineering and construction offices UVC, NC 244 Financial, banking, mortgage and title institutions UVC, NC 266 Laundromats and laundry services UVC, NC 278 Personal services – skin care, massage, manicures, hairdresser/barber UVC, NC, RCO 280 Pet shop – retail and grooming RCO 284 Restaurants. UVC, NC
55	Auction house and all items to be auctioned shall be fully enclosed within a structure. Moved to 17.415.--- Auction house.			206 Auction house (Applied to category in 17.410.044) <i>C, RC, UVC, LIC, RCO, BC, BP, IND, RI</i>
56	There shall be no more than six rental vehicles kept on site. Additional rental car inventory shall be kept at an off-site location consistent with the Kitsap County Code. Moved to 17.415.--- Automobile, recreational vehicle or boat rentals.			210 Automobile rentals UVC, NC
57	Unless the permit application is a Type III quasi-judicial action, when a component of development located within a commercial or industrial zone involves the conversion of previously undeveloped land, land developed with a residential use, or land developed with a less intensive use which abuts a residential zone, it shall be treated as a Type II administrative decision. Moved to applicable zone chapters.		<i>C, RC, LIC, UVC, NC</i>	

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58	<p>In addition to the other standards set forth in the Kitsap County Code, espresso stands are subject to the following conditions:</p> <ul style="list-style-type: none"> a. Drive aisles/stacking lanes shall be designed to accommodate a minimum of three vehicles per service window/door (i.e., eight and one-half feet in width and sixty feet in length) with direct access to the service window. The drive aisles/stacking lanes shall be designed to prevent any vehicles from interfering with public or private roadways, pedestrian circulation, traffic circulation, parking areas or other required development amenities. b. Subject to provisions set forth in Chapter 17.490, drive aisles and parking areas must also be paved in urban growth areas and include, at minimum, hard compacted surfaces in rural areas. Such surfaces must be addressed with required drainage facilities. A joint parking agreement shall be required if parking cannot be accommodated on site. c. All structures must be permanently secured to the ground. d. Restroom facilities must be available for employees. Portable or temporary restroom facilities shall not be used to meet this requirement. <p>Moved to 17.415.--- Espresso stands.</p>	238 Espresso stands		
59	Reserved.			
60	<p>All development in Illahee shall be consistent with the Illahee Community Plan.</p> <p>Moved to 17.415.--- Standards that apply to locate uses located in Illahee. Remove footnote. Kitsap County Code Section 17.100.020 requires all permit applications and approvals to be consistent with Kitsap County Comprehensive Plan and Subarea Plans.</p>		GB	

LEGEND

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FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) <small>(in all tables unless noted otherwise)</small>	Applied to ZONE(s)	Applies to USE in ZONE
61	<p>Use prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards).</p> <p>Moved to respective uses in 17.415.</p> <p>This footnote intended to allow uses which would reinforce the design standard guidelines for increased walkability in the Waaga Way Town Center. The Regional Commercial and Business Center zones changed to Commercial during the 2016 Comprehensive Plan Update. The footnote applied to Regional Center instead of Commercial. 17.415 states the footnote and applies it to any zone within the Waaga Way Town Center. This aligns with the intent of the footnote when originally created.</p>			210 Automobile rentals <i>RC</i> 212 Automobile repair and car washes <i>BC</i> 214 Automobile service station. <i>RC</i> 232 Day-care center, family. <i>RC, BC</i> 238 Espresso stands <i>RC, BC</i> 240 Equipment rentals <i>RC</i> 242 Farm and garden equipment and sales <i>RC</i> 262 Kennel or pet day cares <i>RC</i> 268 Lumber and bulky building material sales <i>RC, BC</i> 270 Mobile home sales <i>RC</i> 274 Nursery, wholesale. <i>RC</i> 288 Recreational vehicle rental <i>RC, BC</i> 304 Carnival or circus <i>RC</i> 308 Golf course. <i>RC</i> 310 Marina. T22 Marina. <i>RC</i> 392 (320) Race track, major. <i>RC, BC</i> 330 Zoo <i>RC</i> 504 Assembly and packaging operations. <i>RC</i> 506 Boat yard. <i>RC, BC</i> 508 Cemeteries, mortuaries, and crematoriums <i>RC, BC</i> 512 Contractor’s storage yard. <i>BC</i> 514 Food production, brewery or distillery <i>RC</i> 516 Fuel distributors <i>RC, BC</i> 520 Manufacturing and fabrication – light. <i>RC</i> 522 Manufacturing and fabrication. – medium. <i>BC</i> 536 Storage, indoor. <i>RC, BC</i> 538 Storage, outdoor. <i>BC</i> 540 Storage, self-service. <i>RC, BC</i> 542 Storage, vehicles and equipment. <i>BC</i> 546 Transshipment facilities, including docks, wharves, marine rails, cranes, and barge facilities <i>BC</i> 550 Warehousing and distribution <i>BC</i>
62	<p>General retail merchandise stores greater than one hundred twenty-five thousand square feet in size are prohibited in the Waaga Way Town Center area (see the Silverdale Design Standards). Additional square footage may be allowed for projects greater than twenty-five acres in size.</p> <p>Moved to respective uses in 17.415.</p>			260 General merchandise stores – 25k sf or greater <i>C, RC</i>

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FN ID	17.410.050 FOOTNOTES	Applies to categorical USE(s) (in all tables unless noted otherwise)	Applied to ZONE(s)	Applies to USE in ZONE
63	Reserved.			286 Restaurant, high-turnover. RC
64	When a component of development is located within the rural commercial or rural industrial zone and involves the conversion of previously undeveloped land, land developed with a residential use, or land developed with a less intensive use which abuts a residential zone, it shall be treated as a Type III hearing examiner decision. Moved to applicable zone chapter.		RCO, RI	
65	No car washes allowed in RCO or RI. Remove footnote. Split into separate categorical uses with permits required reflected in the use table.			208 Auto parts and accessory stores (Applied to category in 17.410.044) C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P 212 Automobile repair and car washes (Applied to category in 17.410.044) C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P
66	Personal service businesses in the RCO are limited to four chairs and are intended for local use only. Moved to 17.415. --- Personal services			278 Personal services – skin care, massage, manicures, hairdresser/barber (Applied to category in 17.410.044) C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P
67	No aquariums are allowed in the RCO zone. Galleries, museums, historic and cultural exhibits should be geared toward the character of the rural area, rural history, or a rural lifestyle. Moved to respective uses in 17.415.			316 Museum, galleries, aquarium, historic or cultural exhibits (Applied to category in 17.410.044) C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P
68	In the RI zone, warehousing and distribution should be focused on agricultural, food, or forestry uses only. Moved to 17.415.--- Warehousing and distribution.			550 Warehousing and distribution (Applied to category in 17.410.044) C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P
69	In the RI zone, cold storage facilities are only allowed for agricultural and food uses. Moved to respective uses in 17.415.			510 Cold storage facilities C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P
70	In the RCO and RI zones, slaughterhouses and animal processing may have a retail component not to exceed four thousand square feet. Moved to 17.415. --- Slaughterhouse or animal processing.			532 Slaughterhouse or animal processing. RCO, RI
71	In the RCO zone, custom art and craft stores are limited to studio type and size only. Moved to 17.415.--- Custom art and craft stores.			(Added to list of footnotes via Ord. 467-2010, yet never applied to a use, zone, or cell.)
72	Must be accessory to an immediate primary use. Moved to respective uses in 17.415.			236 Engineering and construction offices RI 238 Espresso stands (Applied to category in 17.410.044) C, RC, UVC, NC, LIC, RCO, BC, BP, IND, RI, P

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73	Heavy construction, farming and forestry equipment only. Moved to respective uses in 17.415.			240 Equipment rentals <i>RI</i>
74	Allowed for existing airports only. Moved to 17.415.--- Airport.			548 Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc. <i>RI</i>
75	All storage must be screened from public view by a twenty-five-foot buffer in order to meet rural compatibility. Applicant must also demonstrate how the storage would serve the immediate population. Moved to respective uses in 17.415.			534 Storage, hazardous materials. <i>RCO, RI</i> 536 Storage, indoor. <i>RCO</i> 538 Storage, outdoor. <i>RCO, RI</i> 540 Storage, self-service. <i>RCO, RI</i> 542 Storage, vehicles and equipment. <i>RI</i>
76	00 square feet = P, 4,001 - 10,000 square feet = ACUP, 10,001 - 15,000 square feet = C, 15,001 square feet and above = X. Reflected in the use table and respective uses in 17.415.			206 Auction house <i>REC, TTEC</i> 212 Automobile repair and car washes <i>REC</i> 220 Boat/marine supply stores <i>REC</i> 228 Custom art and craft stores. <i>REC</i> 236 Engineering and construction offices <i>REC, TTEC</i> 244 Financial, banking, mortgage and title institutions <i>REC, TTEC</i> 280 Pet shop – retail and grooming <i>REC</i> 284 Restaurants. <i>REC, TTEC</i> 286 Restaurant, high-turnover. <i>REC</i> 290 Temporary offices and model homes. <i>REC, TTEC</i> 292 Tourism facilities, including outfitter and guide facilities <i>REC</i>
77	Reserved.			
78	Reserved.			
79	No residential uses are allowed within the portion of the Gorst urban growth area between the Sinclair Inlet shoreline and State Highways 3 and 16. Moved to respective uses in 17.415.			106 Adult family home. LIC 108 Bed and breakfast house. Vacation rental. <i>LIC</i> 112 Convalescent, nursing or rest home. Congregate care facility. <i>LIC</i> 120 Dwelling, multiple-family. <i>LIC</i> 122 Dwelling, single-family attached. <i>LIC</i> 130 Hotel/motel. <i>LIC</i> 134 Residential care facility. <i>LIC</i> 214 Automobile service station. <i>LIC</i> 230 Day-care center. <i>LIC, P</i> 232 Day-care center, family. <i>LIC</i> 302 Amusement center. <i>LIC</i> 304 Carnival or circus <i>LIC</i> 540 Storage, self-service. <i>LIC</i> 608 Forestry. T19 Forest practices. T22 Forest practices (commercial forestry). <i>LIC, P</i>

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80	Use prohibited within the Gorst urban growth area. Moved to respective uses in 17.415.			120 Dwelling, multiple-family. <i>UR</i> 264 Kennel, hobby. <i>UR</i> 308 Golf course. <i>UR</i> 310 Marina. T22 Marina. <i>UR</i> 608 Forestry. T19 Forest practices. T22 Forest practices (commercial forestry). <i>UR</i>
81	Use permitted outright in the Gorst urban growth area. Remove footnote, no longer applicable.			Applied to Dwelling, multiple-family, Dwelling, single-family attached, Restaurant, Restaurant, high-turnover, and Mixed use development in the Mixed use zone. (Mixed use category and zone removed via 2016 Comprehensive Plan Update. The County allows a project to mix uses allowed in the zone.)
82	Use requires a conditional use permit in the Gorst urban growth area. Remove footnote, no longer applicable.			Applied to Automobile service station in the Mixed use zone. (Mixed use zone removed via 2016 Comprehensive Plan Update.)
83	In the Gorst urban growth area, must take access from state route. Auto uses with underground storage tanks (such as gas stations) shall not be located in the Gorst Creek floodplain. Moved to respective uses in 17.415.			208 Auto parts and accessory stores <i>LIC</i> 210 Automobile rentals <i>LIC</i> 212 Automobile repair and car washes <i>LIC</i> 214 Automobile service station. <i>LIC</i> 216 Automobile, recreational vehicle or boat sales <i>LIC</i> 220 Boat/marine supply stores <i>LIC</i>
84	Use prohibited on the Central Kitsap Community Campus. (See the Silverdale Design Standards.) Remove footnote, no longer applicable.			104 Accessory use or structure. <i>RC</i> 106 Adult family home. <i>RC</i> 110 Caretaker's dwelling. <i>RC</i> 112 Convalescent, nursing or rest home. Congregate care facility. <i>RC</i> 122 Dwelling, single-family attached. 130 Hotel/motel. <i>RC</i> 134 Residential care facility. <i>RC</i> 202 Adult entertainment <i>RC</i> 204 Ambulance service <i>RC</i> 206 Auction house <i>RC</i> 208 Auto parts and accessory stores <i>RC</i> 210 Automobile rentals <i>RC</i> 212 Automobile repair and car washes <i>RC</i> 214 Automobile service station. <i>RC</i> 216 Automobile, recreational vehicle or boat sales <i>RC</i> 220 Boat/marine supply stores <i>RC</i> 232 Day-care center, family. <i>RC</i> 236 Engineering and construction offices <i>RC</i> 238 Espresso stands <i>RC RC</i>

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				240 Equipment rentals 242 Farm and garden equipment and sales <i>RC</i> 244 Financial, banking, mortgage, and title institutions. <i>RC</i> 248, 250 General office and management services. 4K sf or greater <i>RC</i> 254 – 260 General merchandise stores 4K sf or greater <i>RC</i> 262 Kennel or pet day-cares <i>RC</i> 266 Laundromats and laundry services <i>RC</i> 268 Lumber and bulky building material sales <i>RC</i> 270 Mobile home sales <i>RC</i> 272 Nursery, retail. <i>RC</i> 274 Nursery, wholesale. <i>RC</i> 280 Pet shop – retail and grooming <i>RC</i> 286 Restaurant, high-turnover. <i>RC</i> 288 Recreational vehicle rental <i>RC</i> 294 Tourism facilities, including seaplane and tour boat terminals <i>RC</i> 298 Veterinary clinics/animal hospitals/wildlife shelters. <i>RC</i> 304 Carnival or circus <i>RC</i> 308 Golf course. <i>RC</i> 310 Marina. T22 Marina. <i>RC</i> 392 Race track, major. <i>RC</i> 330 Zoo <i>RC</i> 404 Hospital. <i>RC</i> 406 Places of worship. <i>RC</i> 500 Accessory use or structure. <i>RC</i> 502 Air pilot training schools <i>RC</i> 504 Assembly and packaging operations. <i>RC</i> 506 Boat yard. <i>RC</i> 508 Cemeteries, mortuaries, and crematoriums <i>RC</i> 514 Food production, brewery or distillery <i>RC</i> 516 Fuel distributors <i>RC</i> 518 Helicopter pads <i>RC</i> 520 Manufacturing and fabrication - light <i>RC</i> 536 Storage, indoor. <i>RC</i> 540 Storage, self-service. <i>RC</i> 600 Accessory use or structure. <i>RC</i> 606 Aquaculture practices. T22 Aquaculture. <i>RC</i> 608 Forestry. T19 Forest practices. T22 Forest practices (commercial forestry). <i>RC</i>

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85	Use requires an administrative conditional use permit (ACUP) or hearing examiner conditional use permit (C) if located on the Central Kitsap Community Campus. (See Silverdale Design Standards.) Remove footnote, no longer applicable.			120 Dwelling, multiple-family. <i>RC</i> 222 Brew pubs. <i>RC</i> 226 Conference center. <i>RC</i> 228 Custom art and craft stores. <i>RC</i> 230 Day-care center. <i>RC</i> 244 Financial, banking, mortgage and title institutions <i>RC</i> 276 Off-street private parking facilities. Parking area, public. <i>RC</i> 284 Restaurants. <i>RC</i> 296 Transportation terminals <i>RC</i> 306 Club, civic or social <i>RC</i> 312 Movie/performance theater, indoor <i>RC</i> 316 Museum, galleries, aquarium, historic or cultural exhibits <i>RC</i>
86	If located on the Central Kitsap Community Campus, any mixed use development must be in a single building, and total floor area devoted to commercial uses shall not exceed seventy percent. Other mixed use development standards and waivers set forth in Section 17.420.035 shall not apply to the Central Kitsap Community Campus. (See Silverdale Design Standards.) Remove footnote, no longer applicable.			Applied to mixed use development in the Regional Commercial zone. (Mixed use category removed via 2016 Comprehensive Plan Update. The County allows a project to mix uses allowed in the zone.)
87	If located on the Central Kitsap Community Campus, retail/office uses are allowed if accessory and directly related to priority public or community uses. (See the Silverdale Design Standards.) Remove footnote, no longer applicable.			222 Brew pubs. <i>RC</i> 224 Clinic, medical <i>RC</i> 228 Custom art and craft stores. <i>RC</i> 234 Drinking establishments. <i>RC</i> 244 Financial, banking, mortgage and title institutions <i>RC</i> 278 Personal services – skin care, massage, manicures, hairdresser/barber <i>RC</i>
88	Uses allowed on the Poplar's property, as defined by the Silverdale Design Standards, shall not be subject to footnotes 84 through 87 until such time it is substantially redeveloped; but will be subject to all special provisions of this title. Remove footnote, no longer applicable.		<i>RC</i>	
89	Reserved.			
90	Equipment storage located externally is not allowed. Moved to 17.415. --- General office and management services.			236 Engineering and construction offices <i>MVC</i>
91	Permitted in the Manchester village commercial zone if less than five thousand square feet. Moved to 17.415. --- Nursery, retail			272 Nursery, retail. <i>MVC</i>

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92	Drive-through lanes are not allowed. Reflected in the use table 'Restaurant, with drive through service'.			286 Restaurant, high-turnover. MVC
93	Terminals or facilities for motorized equipment are not allowed. Moved to 17.415.--- Tourism facilities, including outfitter and guide facilities.			292 Tourism facilities, including outfitter and guide facilities MVC
94	Any combination of structures shall not exceed five thousand square feet. Zoos and aquariums are prohibited. Reflected in the use table and moved to 17.415.--- Zoo, aquarium, arboreta, botanical gardens.			316 Museum, galleries, aquarium, historic or cultural exhibits MVC
95	Allowed on all port district owned property. Moved to 17.415.--- Equipment sales, rentals and repair, nonmotorized.	218 Nonmotorized recreational rentals.		
96	Reserved.			
97	Cottage housing is an allowed use in conjunction with congregate care facilities and shall be reviewed under the congregate care facility permit review process. Moved to 17.415.060 'Convalescent, nursing or rest home.'	112 Convalescent, nursing or rest home. Congregate care facility.		
98	Number of individual boarding rooms may not exceed the maximum density for the zone or six boarding rooms, whichever is greater. Moved to 17.415.--- Boarding house . Changes to apply to all zones.			109 Boarding house. UR, GB, UL, UCR, KVC, KVL, KVR, RHTC, RHTR
99	The number of individual boarding rooms must meet the minimum density for the zone or equal six boarding rooms, whichever is greater. Moved to 17.415.--- Boarding house . Changes to apply to all zones.			109 Boarding house. UM, UH, C, RC, LIC, UVC, NC, RCO, P
100	Allowed only as micro-gyms less than five thousand square feet in size. All other fitness centers are prohibited. Moved to 17.415.--- Fitness center			245 Fitness center. RCO, BC, IND, RI, REC, and TTEC
101	Transitory accommodations allowed only pursuant to Chapter 17.505. Reflected in the use table. Chapter 17.505 reference moved to 17.415.--- Transitory Accommodations		All zones except FRL and MRO	
102	Boarding houses must have health district approval prior to occupancy. Moved to 17.415.--- Boarding house . Changes to apply to all zones.	109 Boarding house.		109 Boarding house. UM, UH

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103	Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030. Moved to respective uses in 17.415.			222 Brew pubs. <i>RR, RW</i> 248 General office and management services – 4,000 to 9,999 s.f. <i>RHTC, RHTW</i> 254 General retail merchandise stores – 4,000 to 9,999 s.f. <i>RHTC</i> 284 Restaurants. <i>RR, RW</i> 298 Veterinary clinics/animal hospitals/wildlife shelters. <i>RR, RW, RHTR</i>
104	Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030 on parcels of five acres or larger with all uses set back one hundred feet from all parcels not included within the boundary. Moved to respective uses in 17.415.			226 Conference center. <i>RR, RW</i> 292 Tourism facilities, including outfitter and guide facilities. <i>RR, RW</i> 328 Recreational vehicle camping parks. <i>RR, RW</i> 514 Food production, brewery or distillery. <i>RR, RW</i> 520 Manufacturing and fabrication, light. <i>RR, RW</i>
105	Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030, and where uses are limited to the manufacture of agricultural products. Moved to respective uses in 17.415.			520 Manufacturing and fabrication, light. <i>RR, RW</i>
106	Allowed only within the boundary of a town master plan approved pursuant to Section 17.360C.030, and where such uses are secondary to a primary agricultural or recreational use of the property and shall not exceed fifty total seats and/or five thousand square feet of gross floor area. Moved to respective uses in 17.415.			222 Brew pubs. <i>RR, RW</i> 284 Restaurants. <i>RR, RW</i>
107	Drive-in and drive-through service is prohibited. Reflected in use table in use 286 Restaurants with drive through service.			286 Restaurants, high-turnover. <i>RHTW</i>

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108	Notification to the Port Gamble/S’Klallam and Suquamish Tribes is required by the applicant prior to determination of complete application. Written proof of notification is required. Moved to respective uses in 17.415.			102 Accessory living quarters. <i>RHTW</i> 104 Residential - Accessory use or structure. <i>RHTW</i> 108 Caretaker’s dwelling. <i>RHTW</i> 122 Dwelling, single-family attached. <i>RHTW</i> 124 Dwelling, single-family detached (includes manufactured homes). <i>RHTW</i> 126 Guest house. <i>RHTW</i> 208 Auto parts and accessory stores. <i>RHTC</i> 220 Boat/marine supply stores. <i>RHTC, RHTW</i> 228 Custom art and craft stores. <i>RHTC, RHTW</i> 238 Espresso stands. <i>RHTC, RHTW</i> 244 Financial, banking, mortgage and title institutions. <i>RHTC</i> 245 Fitness center. <i>RHTC</i> 246 General office and management services – less than 4,000 s.f. <i>RHTC, RHTW</i> 248 General office and management services – 4,000 to 9,999 s.f. <i>RHTC, RHTW</i> 252 General retail merchandise stores – less than 4,000 s.f. <i>RHTC, RHTW</i> 254 General retail merchandise stores – 4,000 to 9,999 s.f. <i>RHTC</i> 266 Laundromats and laundry services. <i>RHTC</i> 272 Nursery, retail. <i>RHTC</i> 278 Personal services – skin care, massage, manicures, hairdresser/barber. <i>RHTC, RHTW</i> 280 Pet shop – retail and grooming. <i>RHTC</i> 284 Restaurants. <i>RHTC, RHTW</i> 286 Restaurants, high-turnover. <i>RHTC</i> 290 Temporary offices and model homes. <i>RHTC, RHTR, RHTW</i> 292 Tourism facilities, including outfitter and guide facilities. <i>RHTC</i> 302 Amusement centers. <i>RHTC</i> 304 Carnival or circus. <i>RHTC</i> 312 Movie/performance theaters, indoor. <i>RHTC</i> 316 Museum, galleries, aquarium, historic or cultural exhibits. <i>RHTC, RHTW</i>

1
2

1 **Chapter 17.410.060 'Provisions applying to special uses' as follows:**

2

FN ID	17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses. 17.410.060 Special Provisions
	A. In addition to other standards and requirements imposed by this title, all uses included in this section shall comply with the provisions stated herein. Should a conflict arise between the requirements of this section and other requirements of this title, the most restrictive shall apply.
B.1.a	<p>B.1. Home Business. Home businesses may be allowed for commercial or industrial uses within residential zones subject to the following conditions:</p> <p>a. Incidental home businesses, as defined below, shall be permitted in all residential zones and have no permit required.</p> <ol style="list-style-type: none"> i. Business uses shall be incidental and secondary to the dominant residential use; ii. The residential character of the building shall be maintained and the business shall be conducted in such a manner as not to give an outside appearance of a business; iii. The business shall be conducted entirely within the residence; iv. The residence shall be occupied by the owner of the business; v. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes; vi. No clients or customers shall visit or meet for an appointment at the residence; vii. No employees or independent contractors are allowed to work in the residence other than family members who reside in the residential dwelling; viii. No activities that create noise, increase risk of fire, or in any way threaten the safety and tranquility of neighboring residents are permitted; ix. No more than two pick-ups and/or deliveries per day are allowed, not including normal U.S. mail; x. The business shall not occupy more than twenty-five percent of the gross floor area of the residence; and xi. No signs to advertise the business/occupation shall be allowed on the premises (except attached to mailbox not to exceed one square foot). <p>Moved to 17.415. --- Home business.</p>
B.1.b	<p>1. Home Business. Home businesses may be allowed for commercial or industrial uses within residential zones subject to the following conditions:</p> <p>b. Minor home businesses, as defined below, shall be permitted in all residential zones subject to approval by the director. Said approval is not transferable to any individual, future property owner or location.</p> <ol style="list-style-type: none"> i. Business uses shall be incidental and secondary to the dominant residential use; ii. The residential character of the building shall be maintained and the business shall be conducted in such a manner as not to give an outside appearance of a business; iii. The residence shall be occupied by the owner of the business; iv. The business shall occupy no more than thirty percent of the gross floor area of the residence; v. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes; vi. No more than two employees, including proprietors (or independent contractors), are allowed; vii. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director; viii. No outside storage shall be allowed; and ix. In order to assure compatibility with the dominant residential purpose, the director may require: <ol style="list-style-type: none"> (a) Patronage by appointment. (b) Additional off-street parking. (c) Other reasonable conditions. <p>Moved to 17.415. --- Home business.</p>
B.1.c.	<p>1. Home Business. Home businesses may be allowed for commercial or industrial uses within residential zones subject to the following conditions:</p> <p>c. Moderate home businesses, as defined below, shall be permitted in RW, RP, and RR zones subject to approval by the director. Said approval is not transferable to any individual, future property owner or location.</p> <ol style="list-style-type: none"> i. Business uses shall be incidental and secondary to the dominant residential use; ii. The residential character of the building shall be maintained and the business shall be conducted in such a manner as to moderate any outside appearance of a business; iii. The residence shall be occupied by the owner of the business; iv. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes; v. No more than five employees (or independent contractors) are allowed; vi. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director; and vii. In order to ensure compatibility with the dominant residential purpose, the director may require: <ol style="list-style-type: none"> (a) Patronage by appointment. (b) Additional off-street parking.

FN ID	17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses. 17.410.060 Special Provisions
	<p>(c) Screening of outside storage. (d) A conditional use permit (required for engine or vehicle repair or servicing). (e) Other reasonable conditions.</p> <p>Moved to 17.415. --- Home business.</p>
B.2	<p>2. Pets and Exotic Animals. Pets, nontraditional pets and exotic animals are subject to the following conditions:</p> <p>a. Pets which are kept inside of a primary structure as household pets in aquariums, terrariums, cages or similar containers shall not be limited in number by this section. Other pets, excluding cats, which are kept indoors shall be limited to five;</p> <p>b. Pets which are kept outside of the primary structure shall be limited to three per household on lots less than twenty thousand square feet in area, only one of which may be a nontraditional pet; five per household on lots of twenty thousand to thirty-five thousand square feet, only two of which may be nontraditional pets; with an additional two pets per acre of site area over thirty-five thousand square feet up to a limit of twenty; and</p> <p>c. No feeding area or structure used to house, confine or feed pets shall be located closer than the minimum yard setbacks for the zone in which they are located. No feeding area or structure used to house, confine or feed nontraditional pets or exotic animals shall be located closer than fifty feet from any residence on adjacent property.</p> <p>Moved to 17.415.--- General Provisions applying to all uses.</p>
B.3	<p>3. Accessory Dwelling Unit (ADU). In order to encourage the provision of affordable and independent housing for a variety of households, an accessory dwelling unit may be located in residential zones, subject to the following criteria:</p> <p>a. An ADU shall be allowed as a permitted use in those areas contained within an urban growth boundary;</p> <p>b. An ADU shall be subject to a conditional use permit in those areas outside an urban growth boundary;</p> <p>c. Only one ADU shall be allowed per lot;</p> <p>d. Owner of the property must reside in either the primary residence or the ADU;</p> <p>e. The ADU shall not exceed fifty percent of the square footage of the habitable area of primary residence or nine hundred square feet, whichever is smaller. Dimensions are determined by exterior measurements;</p> <p>f. The ADU shall be located within one hundred fifty feet of the primary residence or shall be the conversion of an existing detached structure (e.g., garage);</p> <p>g. The ADU shall be designed to maintain the appearance of the primary residence;</p> <p>h. All setback requirements for the zone in which the ADU is located shall apply;</p> <p>i. The ADU shall meet the applicable health district standards for water and sewage disposal;</p> <p>j. No mobile homes or recreational vehicles shall be allowed as an ADU;</p> <p>k. An ADU shall use the same side-street entrance as the primary residence and shall provide additional off-street parking; and</p> <p>l. An ADU is not permitted on the same lot where an accessory living quarters exists.</p> <p>m. Existing, Unpermitted Accessory Dwelling Units.</p> <p>i. Applicability. The provisions of this subsection shall only apply to property and property owners who can establish all of the following criteria:</p> <p>(a) The parcel is within the unincorporated area of Kitsap County;</p> <p>(b) An accessory dwelling unit (ADU), as defined in Section 17.110.020, or similar dwelling previously defined as an accessory living quarters (ALQ) or an accessory rental unit (ARU) is located on the parcel;</p> <p>(c) The accessory dwelling has not received any prior review and/or approval by Kitsap County;</p> <p>(d) The property owner did not construct or cause to have the accessory dwelling constructed;</p> <p>(e) The property owner did not own the property when the accessory dwelling was constructed;</p> <p>(f) The property owner exercised due diligence when purchasing the property with the existing accessory dwelling to discover whether or not the accessory dwelling was approved when purchasing the property. Due diligence is presumed to have occurred if the property owner can document the following conditions:</p> <p>(i) That county tax records or parcel records contain no inquiry or other notice that the ADU was unpermitted; and</p> <p>(ii) That the current owner requested and obtained a title report with no exceptions, restrictions, enforcement actions, permitting or similar issues pertinent to the ADU; and</p> <p>(iii) That the prior owner's property and improvement disclosures at the time of sale did not indicate any permitting, compliance or similar issues pertinent to the ADU; and</p> <p>(iv) That any third party involved in the sale or inspection of the ADU did not disclose any permitting, compliance or other issues pertinent to the ADU;</p> <p>(g) The parcel has a history of property tax assessment and a history of continuous tax payments on the principal and the accessory dwelling;</p> <p>(h) Acceptable documentation for subsections (B)(3)(m)(i)(a) through (g) of this section may include but is not limited to current or previous county assessment records, real estate disclosure forms, listing agreements, records of sale, title reports and aerial photography establishing compliance with the required conditions.</p>

FN ID	17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses. 17.410.060 Special Provisions
	<p>ii. Application. Persons who meet the criteria of subsection (B)(3)(m)(i) of this section desiring to gain approval of their accessory dwelling shall make application to the director of the department of community development on forms provided by the department, with fees to be paid at the time of application as provided in subsection (B)(3)(m)(v) of this section. Such application shall be a Type II permit under Chapter 21.04.</p> <p>iii. Approval. The director, or his designee, is authorized to approve submitted applications that satisfy all of the following:</p> <ul style="list-style-type: none"> (a) All the requirements of this section; (b) All the applicable zoning, health, fire safety and building construction requirements: <ul style="list-style-type: none"> (i) The applicable requirements shall be those in effect when the accessory dwelling was constructed. The burden of proof of when the accessory dwelling was constructed shall be upon the applicant and may consist of dated aerial photography, tax assessments, surveys or similar documents. (ii) If the applicant cannot prove a date of construction, the applicable requirements shall be those currently in effect on the date of application. (iii) If the applicant can only show a date range for construction, the applicable requirements shall be the latest requirements of the range; (c) Proof of adequate potable water; (d) Proof of adequate sewage disposal systems for both the principal and the accessory dwelling. Proof shall be shown by Kitsap County health district approval; and (e) Verification by Kitsap County inspection staff that the accessory dwelling is habitable. <p>Applications approved subject to these provisions shall be considered legal nonconforming uses.</p> <p>iv. Variances.</p> <ul style="list-style-type: none"> (a) When reviewing the application, the director is authorized to grant an administrative variance to the requirements of subsection (B)(3)(m)(iii)(b) of this section only when unusual circumstances relating to the property cause undue hardship in the application of subsection (B)(3)(m)(iii)(b) of this section. The granting of an administrative variance shall be in the public interest. An administrative variance shall be granted at the director's sole discretion only when the applicant has proven all of the following: <ul style="list-style-type: none"> (i) There are practical difficulties in applying the regulations of subsection (B)(3)(m)(iii)(b) of this section; (ii) The applicant did not create or participate in creating the practical difficulties; (iii) A variance meets the intent and purpose of this section; (iv) The variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which the property is located; and (v) The variance is the minimum necessary to grant relief to the applicant. (b) The director is authorized to require mitigation in connection with the administrative variance to minimize the effect of the variance on surrounding properties. (c) In reviewing a request for an administrative variance, the director shall notify and solicit comments from surrounding property owners of the application and the intended variance and mitigation. The director shall consider such comments when determining whether or not to approve the variance. The director is further authorized to require mediation to resolve issues arising from the notification process and the costs of such mediation shall be paid by the applicant. (d) Variance requests submitted as part of this subsection shall be considered as part of the original application and not subject to additional procedural or fee requirements. <p>v. Fees. Applicants shall pay a fee established by resolution at the time of application. Additionally, applicants shall pay notification costs, reinspection fees, additional review and other applicable fees in accordance with Chapter 21.10. Applicants may initiate a staff consultation in considering or preparing an application under these provisions. The staff consultation fee established in Chapter 21.10 shall not, however, be credited towards any subsequent application submitted under these provisions.</p> <p>vi. Land Use Binder. Following approval of the accessory dwelling and any administrative variance, the applicant shall record a land use permit binder with the county auditor using forms provided by the Kitsap County department of community development.</p> <p>vii. Expiration. Qualifying property owners shall have one year from the time that the noncompliant ADU is discovered to submit an application for approval of the ADU.</p> <p>Moved to 17.415.--- Accessory dwelling unit – detached.</p>
B.4	<p>4. Accessory Living Quarters. In order to encourage the provision of affordable housing, accessory living quarters may be located in residential zones, subject to the following criteria:</p> <ul style="list-style-type: none"> a. Accessory living quarters shall be located within an owner-occupied primary residence; b. Accessory living quarters are limited in size to no greater than fifty percent of the habitable area of the primary residence; c. The accessory living quarters are subject to applicable health district standards for water and sewage disposal; d. Only one accessory living quarters shall be allowed per lot; e. Accessory living quarters are to provide additional off-street parking with no additional street-side entrance; and f. Accessory living quarters are not allowed where an accessory dwelling unit exists. g. Existing Unpermitted Accessory Living Quarters. Existing unpermitted accessory living quarters may be approved under the provisions of subsection (B)(3)(m) of this section. <p>Moved to 17.415.--- Accessory dwelling unit – attached.</p>
B.5	5. Adult Entertainment.

FN ID	17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses. 17.410.060 Special Provisions
	<p>a. The following uses are designated as adult entertainment uses:</p> <ol style="list-style-type: none"> i. Adult bookstore; ii. Adult mini-motion picture theater; iii. Adult motion picture theater; iv. Adult novelty store; and v. Cabaret. <p>b. Restrictions on Adult Entertainment Uses. In addition to complying with the other sections of this title, adult entertainment uses shall not be permitted:</p> <ol style="list-style-type: none"> i. Within one thousand feet of any other existing adult entertainment use; and/or ii. Within five hundred feet of any noncommercial zone, or any of the following residentially related uses: <ol style="list-style-type: none"> (a) Churches, monasteries, chapels, synagogues, convents, rectories, or church-operated camps; (b) Schools, up to and including the twelfth grade, and their adjunct play areas; (c) Public playgrounds, public swimming pools, public parks and public libraries; (d) Licensed day care centers for more than twelve children; (e) Existing residential use within a commercial zone. iii. For the purposes of this section, spacing distances shall be measured as follows: <ol style="list-style-type: none"> (a) From all property lines of any adult entertainment use; (b) From the outward boundary line of all residential zoning districts; (c) From all property lines of any residentially related use. <p>c. Signage for Adult Entertainment Uses.</p> <ol style="list-style-type: none"> i. In addition to special provisions relating to signage in this title, it shall be unlawful for the owner or operator of any adult entertainment use establishment or any other person to erect, construct, or maintain any sign for the adult entertainment use establishment other than one primary sign and one secondary sign, as provided herein. ii. Primary signs shall have no more than two display surfaces. Each such display surface shall: <ol style="list-style-type: none"> (a) Be a flat plane, rectangular in shape; (b) Not exceed seventy-five square feet in area; and (c) Not exceed ten feet in height or ten feet in length. iii. Primary and secondary signs shall contain no photographs, silhouettes, drawings or pictorial representations of any manner, and may contain only: <ol style="list-style-type: none"> (a) The name of the regulated establishment; and/or (b) One or more of the following phrases: <ol style="list-style-type: none"> (i) "Adult bookstore," (ii) "Adult movie theater," (iii) "Adult cabaret," (iv) "Adult novelties," (v) "Adult entertainment." iv. Primary signs for adult movie theaters may contain the additional phrase, "Movie Titles Posted on Premises." <ol style="list-style-type: none"> (a) Each letter forming a word on a primary or secondary sign shall be of a solid color, and each such letter shall be the same print-type, size and color. The background behind such lettering on the display surface of a primary sign shall be of a uniform and solid color. (b) Secondary signs shall have only one display surface. Such display surface shall: <ol style="list-style-type: none"> (i) Be a flat plane, rectangular in shape; (ii) Not exceed twenty square feet in area; (iii) Not exceed five feet in height and four feet in width; and (iv) Be affixed or attached to any wall or door of the establishment. <p>Moved to 17.415.--- Adult Entertainment.</p>
B.6	6. Storage of Junk Motor Vehicles.

FN ID	17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses. 17.410.060 Special Provisions
	<p>a. Storage of junk motor vehicles on any property outside of a legally constructed building (minimum of three sides and a roof) is prohibited, except where the storage of up to six junk motor vehicles meets one of the following two conditions:</p> <ul style="list-style-type: none"> i. Any junk motor vehicle(s) stored outdoors must be completely screened by a sight-obscuring fence or natural vegetation to the satisfaction of the director (a covering such as a tarp over the vehicle(s) will not constitute an acceptable visual barrier). For the purposes of this section, "screened" means not visible from any portion or elevation of any neighboring or adjacent public or private property, easement or right-of-way; or ii. Any junk motor vehicle(s) stored outdoors must be stored more than two hundred fifty feet away from all property lines. <p>b. Environmental Mitigation Agreement. The owner of any such junk motor vehicle(s) must successfully enter into an environmental mitigation agreement with the department of community development (the "department") regarding the property where such vehicle(s) will be located or stored.</p> <ul style="list-style-type: none"> i. An environmental mitigation agreement between a property owner and the department is required before the outdoor storage of up to six screened junk motor vehicles will be approved. A property owner may enter into such agreement with the department for a one-time fee of \$10.00 per vehicle, the proceeds of which shall be used to assist with clean-up costs associated with the administration of Chapter 9.56. ii. In order to mitigate any potential environmental impact from the storage of these junk motor vehicles, the property owner must agree to institute one of the following two preventative measures: <ul style="list-style-type: none"> (a) Each junk motor vehicle must be drained of all oil and other fluids including, but not limited to, engine crankcase oil, transmission fluid, brake fluid and radiator coolant or antifreeze prior to placing the vehicle on site; or (b) Drip pans or pads must be placed and maintained underneath the radiator, engine block, transmission and differentials of each junk motor vehicle to collect residual fluids. (c) Either preventative measure shall require that the owner of such vehicle(s) clean up and properly dispose of any visible contamination resulting from the storage of junk motor vehicles. The agreement will require the property owner to select one of the two preventative measures and to allow for an initial inspection of the property by the department to assure that the preventative measure has been implemented to the satisfaction of the department. By entering into the agreement, the property owner further agrees to allow the department entry onto the property on an annual basis for reinspection to assure compliance with the approved agreement. If a property is found to be in compliance with the terms of the agreement for two consecutive inspections, the department may waive the annual inspection requirement. A property owner found to be in violation of the agreement may be issued a civil infraction pursuant to this section and could later be deemed a nuisance in accordance with Chapter 9.56. <p>Moved to 17.415.--- General Provisions applying to all uses.</p>
B.7	<p>7. Model Homes. Notwithstanding any other provision of this code, model homes may be constructed within a subdivision prior to final plat approval by the board. The purpose of the model homes shall be to demonstrate a variety of housing designs together with associated on-site improvements, e.g., landscaping, improved driveway, patios. Model homes shall be subject to the following requirements:</p> <ul style="list-style-type: none"> a. The subdivision shall have received preliminary plat approval; b. One model home may be occupied as a temporary real estate office; c. A model home may not be occupied as a dwelling unit or sold until the approved final plat is recorded; d. The number of model home permits that may be issued for any approved preliminary plat or division thereof shall not exceed six; e. If the lots to be used for model home purposes are in a block of two or more contiguous lots, temporary uses may be incorporated onto one or more lots, including temporary offices, parking, parks and playgrounds, subject to the approval of the director, and subject to obtaining a temporary use permit, which shall authorize the temporary uses for a period of one year. The director may extend the temporary use permit for up to two additional periods of six months each; f. Lots used for model homes must be clear of restrictions or easements that may be subject to line changes before recording; g. Stormwater management facilities must be in place and/or approved for recording. Temporary erosion control must be completed prior to occupancy of a model home; h. Roads must be constructed to final alignment and grade such that the building inspector can determine if connecting driveways meet county standards prior to occupancy of a model home; i. Permanent or temporary fire flow for the final plat must be approved by the fire marshal, constructed and operational prior to occupancy of a model home; and j. Final plat restoration bonds must be posted prior to occupancy of a model home. <p>Moved to 17.415. --- Model home.</p>
B.8	<p>8. Guest Houses. Guest houses may be located in those zones specified in Sections 17.410.042 through 17.410.046 subject to the following conditions:</p> <ul style="list-style-type: none"> a. Guest houses shall not exceed nine hundred square feet. Dimensions are determined by exterior measurements; b. Guest houses shall not include any kitchen plumbing, appliances or provisions for cooking; c. Guest houses shall not include more than one bathroom (may be full bathroom); d. Guest houses shall not include more than two habitable rooms and a bathroom; e. Guest houses shall not be rented separately from the primary residence; f. Only one guest house is allowed per parcel; g. No guest house is allowed on a parcel with an existing accessory dwelling unit or accessory living quarters;

FN ID	17.410.050 A.1 - Where applicable subject to Section 17.410.060, Provisions applying to special uses. 17.410.060 Special Provisions
	<p>h. Newly constructed guest houses must meet the required setbacks for a single family dwelling consistent with their zone. Legally established, existing structures built before May 7, 1998, may be remodeled into guest houses at their existing setback; i. Guest houses must be within one hundred fifty feet of the primary residence; j. Guest houses must use the same street entrance as the primary structure; k. Guest houses must meet all applicable health district standards for water provision and sewage disposal; and l. The property owner must record a notice to title outlining these conditions. This notice must be approved by the department and may not be extinguished without the county's written permission.</p> <p>Removed footnote, no longer applicable.</p>
B.9	<p>9. High-Risk Secured Facility. A high-risk secured facility shall comply with the following conditions:</p> <ul style="list-style-type: none"> a. The county shall hold a neighborhood meeting prior to a public hearing for a proposed high-risk secured facility. The project applicant shall cover all meeting costs. b. The county shall mail community notification to the school district and all landowners within a half-mile radius of a proposed high-risk secured facility at least two weeks prior to the required neighborhood meeting. The project applicant shall cover all community notification costs. c. A high-risk secured facility shall not be located adjacent to, immediately across the street or parking lot from, or within the line of sight of a risk potential activity or facility in existence at the time a facility is established. <ul style="list-style-type: none"> i. "Within the line of sight" means that it is possible to reasonably visually distinguish and recognize individuals. ii. "Risk potential activities and facilities" means an activity or facility that provides a higher incidence of risk to the public from persons conditionally released from the special commitment center. Risk potential activities and facilities include: public and private schools, school bus stops, licensed day care and licensed preschool facilities, domestic violence shelters, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, public libraries, public and private youth camps, and other specific uses identified during a neighborhood hearing. For the purpose of this section, "school bus stops" does not include bus stops established primarily for public transit. d. A high-risk secured facility shall not be located in a community protection zone as defined in RCW 9.94A.030(6). <ul style="list-style-type: none"> i. Distance shall be measured from all property lines of a high-risk secured facility from all property lines of the facilities and grounds of a public or private school. e. A high-risk secured facility shall meet the applicable health district standards for water and sewage disposal to account for staff and residents. f. Principal access to the site shall be from a county-maintained right-of-way. g. A high-risk secured facility shall be equipped with an automatic fire sprinkler system, installed in accordance with applicable building and fire codes. h. A high-risk secured facility shall be equipped with a mechanism that is interlocked with the fire protection system to automatically release any facility security locks and allow safe egress from the structure in the event of fire or other emergency. i. A high-risk secured facility shall be equipped with a backup power system and an automatic transfer switch sufficient to energize and maintain the function of safety, security, and surveillance systems in the event of a power outage. <p>Moved to 17.415. --- High-risk secured facilities.</p>

